IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O. O. C. J.

WRIT PETITION LD.NO.1331 OF 2005

E.Fanibanda & Ors. ...Petitioners.

Vs.

The State of Maharashtra & Ors. ...Respondents.

.....

Mr.Rahul Rao for the Petitioner.

Mr.Pradeep Jadhav, AGP for the Respondents.

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CORAM : DR.D.Y.CHANDRACHUD, J.

May 6, 2005.

P.C. :

Mentioned. Not on Board. With the consent of Counsel appearing on behalf of the Petitioners and the Learned AGP for the Respondents, taken on Board. Counsel appearing on behalf of the Petitioners undertakes to get the petition numbered.

An appeal lies against the impugned order of the Deputy Registrar, Co-operative Societies

appointing an Administrator under Section 77A of the Maharashtra Co-operative Societies' Act, 1960. The Petitioners are accordingly relegated to the alternate remedy which is available in law. However, in order to enable the Petitioners to pursue the remedy before the Appellate Authority, there shall be a stay of the impugned order for four weeks. In the meantime, it would be open to the Appellate Authority to either dispose of the application for stay or if it is possible to do so, dispose of the appeal itself. In the event that an adverse order is passed, it shall not be given effect to for a period of two weeks.

The Petition is accordingly disposed of.

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